

DECLARATION AND POWER OF ATTORNEY

As a below named inventor(s), I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor, if only one name is listed below, or an original, first and joint inventor(s), if plural names are listed below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND SYSTEM FOR E-MAIL MESSAGE TRANSMISSION

and for which a patent application:

- ☒ is attached hereto
- ☐ was filed in the United States on _____ as Appln. Ser. No. _____, with amendment(s) filed on _____ (if applicable)
- ☐ was filed as PCT International Appln. No. _____ on _____ and was amended under PCT Article 19 on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, C.F.R. §1.56.

I hereby claim foreign priority benefits under Title 35, U.S.C. § 119 (a)-(d) or (f) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application on this invention filed by me or my legal representatives or assignees and having a filing date before that of the application on which priority is claimed.

| EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION | | | |
|--|---------|--------------------------------------|--|
| APPLICATION NUMBER | COUNTRY | DATE OF FILING (day, month, year) | PRIORITY CLAIMED |
| | | | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| | | | Yes <input type="checkbox"/> No <input type="checkbox"/> |

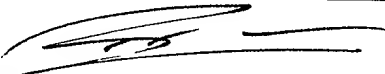

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application

| APPLICATION SERIAL No. | FILING DATE | STATUS | | |
|---------------------------|--------------|----------|---------|-----------|
| | | PATENTED | PENDING | ABANDONED |
| 09/180,377 | 23 July 1998 | | X | |
| | | | | |

SEND CORRESPONDENCE TO: Skadden, Arps, Slate, Meagher & Flom LLP
Four Times Square
New York, NY 10036
PTO Customer No. 26137

DIRECT TELEPHONE CALLS TO:
Guy Perry
(212) 735-2633

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | | | |
|--|---------------------------|-------------------------------|--|----------------------------------|-------------------|
| 1 | FULL NAME OF INVENTOR | Last Name BANDINI | First Name Jean-Christophe | Middle Name Denis | |
| | RESIDENCE AND CITIZENSHIP | City San Carlo | State or Foreign Country California | Country of Citizenship France | |
| | POST OFFICE ADDRESS | Street 3375 | City Britton Avenue #11 | State or Country California | Zip Code 94070 |
| Signature of Inventor  | | | | Date 6/20/01 | |
| 2 | FULL NAME OF INVENTOR | Last Name SMITH | First Name Jeffrey | Middle Name C. | |
| | RESIDENCE AND CITIZENSHIP | City Atherton | State or Foreign Country CA | Country of Citizenship US | |
| | POST OFFICE ADDRESS | Street 158 Almendal Avenue | City Atherton | State or Country CA | Zip Code 94027 |
| Signature of Inventor  | | | | Date 6/20/01 | |
| 3 | FULL NAME OF INVENTOR | Last Name | First Name | Middle Name | |
| | RESIDENCE AND CITIZENSHIP | City | State or Foreign Country | Country of Citizenship | |
| | POST OFFICE ADDRESS | Street | City | State or Country | Zip Code |
| Signature of Inventor | | | | Date | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Bandini *et al.*
Serial No. : Not yet assigned
Filed : Concurrently herewith
Title : METHOD AND SYSTEM
 FOR E-MAIL MESSAGE
 TRANSMISSION

CERTIFICATE OF MAILING UNDER 37 CFR § 1.10
 "Express Mail" Mailing Label Number

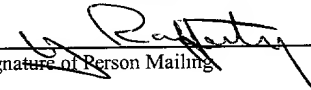
EL 790 615 392 US

Date of Deposit:

10/22/01

I hereby certify that this paper and all enclosures referred to therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Name of Person Mailing: Yvonne Rafferty


 Signature of Person Mailing

**POWER OF ATTORNEY BY ASSIGNEE
 AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. § 3.71**

Assistant Commissioner for Patents
 Washington, D.C. 20231

Sir:


The undersigned assignee of the entire interest in the above-identified subject application hereby appoints: Daniel A. Devito (32,125), Edward V. Filardi (25,757), David W. Hansen (38,910), Constance S. Huttner (35,903), Ronald S. Laurie (25,431), Robert B. Smith (28,538), Robert B. Beyers (46,552), Meir Y. Blonder (40,517), Ian R. Blum (42,336), John L. Dauer, Jr. (39,953), Jose Esteves (41,011), Michael D. Fabiano (44,675), Stacey J. Farmer (42,526), Di Jiang-Schuerger (44,806), Frederick D. Kim (38,513), Thomas R. Lane (42,718), Daniel J. Lin (47,750), Douglas R. Nemec (41,219), Guy Perry (46,194), Constance F. Ramos (47,883), Andrew F. Strobert (35,375), Todd J. Tiberi (37,455), Joseph Yang (41,387), and Matthew B. Zisk (45,257), all of Skadden, Arps, Slate, Meagher & Flom LLP, whose address is Four Times Square, New York, NY 10036, as its attorneys to prosecute this application and to transact all business connected therewith in the U.S. Patent and Trademark Office, said appointment to be to the exclusion of the inventors, Robert D. Dickinson III, and Sathvik Krishnamurthy, inventors in the parent case, **U.S. Serial No. 09/180,377**, in accordance with the provisions of 37 C.F.R. § 3.71, provided that, if any one of these attorneys ceases being affiliated with the law firm of Skadden, Arps, Slate, Meagher and Flom LLP, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

RECEIVED
 OCT 23 2001
 U.S. PATENT & TRADEMARK OFFICE

As assignment of the entire interest in the above-identified subject application:

- ☒ Was recorded on 11/3/98 at Reel 10050 Frame 341; and a subsequent assignment which was recorded on 6/12/00 at Reel 10903 Frame 50.
- ☐ Is submitted herewith for recording.

Please direct all correspondence for this application to Customer No. 26137, Skadden, Arps, Slate, Meagher & Flom LLP, Four Times Square, New York, NY 10036, and direct all phone calls to Skadden, Arps et al. at (212) 735-3000.

Assignee: Tumbleweed Communications Corporation
Signature: 
Printed Name: Bernard J. Cassidy
Title: Vice President, General Counsel and Secretary
Date: June 20, 2001
Address: 700 Saginaw Drive
Redwood City, CA 94063

PATENT ASSIGNMENT

WHEREAS, Worldtalk Corporation (hereinafter "Assignor"), a corporation of the State of Delaware having its principal office and place of business at 5155 Old Ironsides Drive, Santa Clara, California 95054, U.S.A. is the owner of rights in the patents and patent applications set forth on the attached Schedule A, and the inventions disclosed and claimed therein; and

WHEREAS, Tumbleweed Communications Corporation (hereinafter "Assignee"), a corporation of the State of Delaware having its principal office and place of business at 700 Saginaw Drive, Redwood City, California 94063, U.S.A., desires to acquire the entire right, title, and interest in and to said inventions, patents and patent applications;

NOW THEREFORE, effective immediately by this document, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby sell, assign and transfer to Assignee, and its successors and assigns, the entire right, title, and interest, in the United States and all foreign countries, in said patents and patent applications and to the inventions disclosed therein, and all continuations, divisions, reissues, and substitutes thereof, rights of priority under the International Convention for the Protection of Industrial Property, the Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States adheres, and in and to all income, royalties, damages, claims, and payments now or hereafter due or payable with respect thereto, and in and to all causes of action (either in law or in equity) and the right to sue, counterclaim, and recover for past, present, and future infringement of the rights assigned to Assignee hereunder.

Assignor hereby agrees to execute any papers and to perform such other proper acts as Assignee or its successors or assigns may deem reasonably necessary to secure to Assignee or to its successors or assigns, the rights hereby transferred.

WHEREFORE, Assignor has caused this Patent Assignment to be duly executed below, on the date indicated, by its duly authorized officer.

WORLDTALK CORPORATION
("Assignor")

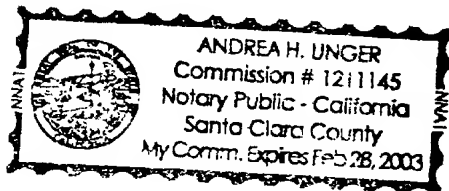
By: Bernard J. Cassidy
BERNARD J. CASSIDY, Secretary
Date: May 20, 2000

STATE OF CALIFORNIA)
) ss.
COUNTY OF SANTA CLARA)

On May 20, 2000, before me, Andrea H. Unger, notary public, personally appeared BERNARD J. CASSIDY, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacities and that by his signature on the instrument the person or entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Andrea H. Unger
NOTARY PUBLIC FOR THE STATE OF CALIFORNIA



Patents and Patent Applications

| <u>Country</u> | <u>Title</u> | <u>Inventor(s)</u> | <u>App. No./</u> <u>Issue No.</u> | <u>Date Filed/</u> <u>Date Issued</u> | <u>Status</u> |
|----------------|--|------------------------------------|--------------------------------------|--|---------------|
| United States | E-Mail Firewall With Stored Key Encryption/Decryption | Dickinson, R. Krishnamurthy, S. | 09/180,377 | 11/3/98 | |
| Australia | E-Mail Firewall With Stored Key Encryption/Decryption | Dickinson, R. Krishnamurthy, S. | 87590/98 | 7/23/98 | |
| Europe | E-Mail Firewall With Stored Key Encryption/Decryption | Dickinson, R. Krishnamurthy, S. | 98939097.6 | 7/23/98 | |
| Japan | E-Mail Firewall With Stored Key Encryption/Decryption | Dickinson, R. Krishnamurthy, S. | 2000-504-677 | 7/23/98 | |

| <u>Country</u> | <u>Title</u> | <u>Inventor(s)</u> | <u>App. No./</u> <u>Issue No.</u> | <u>Date Filed/</u> <u>Date Issued</u> | <u>Status</u> |
|----------------|--|-----------------------------------|--------------------------------------|--|---------------|
| New Zealand | E-Mail Firewall With Stored Key Encryption/Decryption | Dickinson, R. Krishnamurthy, S | 502524 | 7/23/98 | |
| Canada | E-Mail Firewall With Stored Key Encryption/Decryption | Dickinson, R. Krishnamurthy, S | n/a | 7/23/98 | |
| PCT | E-Mail Firewall With Stored Key Encryption/Decryption | Dickinson, R. Krishnamurthy, S | PCT/US98/15552 | 7/23/98 | |

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, the person(s) named below (referred to as "INVENTOR" whether singular or plural) has sold, assigned, and transferred and does hereby sell, assign, and transfer to WorldTalk Corporation, a Delaware corporation, having a place of business at 5155 Old Ironside Dr., Santa Clara, CA 95054 ("ASSIGNEE"), for itself and its successors, transferees, and assignees, the following:

1. The entire worldwide right, title, and interest in all inventions and improvements ("SUBJECT MATTER") that are disclosed in the application for United States Letters Patent entitled: **E-Mail Firewall With Stored Key Encryption/Decryption ("APPLICATION")**, which:

☒ is to be filed herewith and

☒ was filed on July 23, 1998, now bearing PCT International Application No. PCT/US98/15552 and for which a Declaration was executed by INVENTOR on the date(s) below; and

2. The entire worldwide right, title, and interest in and to:

(a) the APPLICATION, including any right of priority; (b) any divisional, continuation, substitute, renewal, reissue, and other related applications thereto which have been or may be filed in the United States or elsewhere in the world; and (c) any patents which may be granted on the applications set forth in (a) and (b) above.

INVENTOR agrees that ASSIGNEE may apply for and receive patents for SUBJECT MATTER in ASSIGNEE's own name.

INVENTOR agrees to do the following, when requested, and without further consideration, in order to carry out the intent of this Assignment: (1) execute all oaths, assignments, powers of attorney, applications, and other papers necessary or desirable to fully secure to ASSIGNEE the rights, titles and interests herein conveyed; (2) communicate to ASSIGNEE all known facts relating to the SUBJECT MATTER; and (3) generally do all lawful acts that ASSIGNEE shall consider desirable for securing, maintaining, and enforcing worldwide patent protection relating to the SUBJECT MATTER and for vesting in ASSIGNEE the rights, titles, and interests herein conveyed. INVENTOR further agrees to provide any successor, assign, or legal representative of ASSIGNEE with the benefits and assistance provided to ASSIGNEE hereunder.

INVENTOR represents that INVENTOR has the rights, titles, and interests to convey as set forth herein, and covenants with ASSIGNEE that the INVENTOR has made or will make hereafter no assignment, grant, mortgage, license, or other agreement affecting the rights, titles, and interests herein conveyed.

This Assignment may be executed in one or more counterparts, each of which shall be deemed an original and all of which may be taken together as one and the same Assignment.

| <u>Name and Signature</u> | <u>Date of Signature</u> | <u>Date Declaration Executed By This Person</u> |
|---|--------------------------|---|
| <u>[Signature]</u> Robert D. Dickinson III | <u>10/21/1998</u> | <u>10/21/1998</u> |

State of Washington
County of King

On 10-21-98 before me, Kristen Randall personally
[DATE] [NOTARY PUBLIC]

appeared Robert D. Dickinson III personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

[Signature]

Notary Seal

Notary

Title of Document: ASSIGNMENT

Re: Case 3561 US

Title: E-Mail Firewall With Stored Key Encryption/Decryption

Filed: Even Date Herewith

Serial No.: Not Yet Assigned

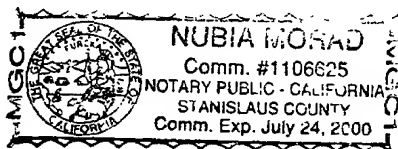
| <u>Name and Signature</u> | <u>Date of Signature</u> | <u>Date Declaration Executed By This Person</u> |
|---|--------------------------|---|
| <u>Sathvik Krishnamurthy</u> Sathvik Krishnamurthy | <u>10/16, 1998</u> | <u>10/16, 1998</u> |

State of California
County of Santa Clara

On October 16, 1998 before me, Nubia Morad personally
[DATE] [NOTARY PUBLIC]

appeared Sathvik Krishnamurthy personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Notary Seal



Nubia Morad
Notary

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, the person(s) named below (referred to as "INVENTOR" whether singular or plural) has sold, assigned, and transferred and does hereby sell, assign, and transfer to WorldTalk Corporation, a Delaware corporation, having a place of business at 5155 Old Ironside Dr., Santa Clara, CA 95054 ("ASSIGNEE"), for itself and its successors, transferees, and assignees, the following:

1. The entire worldwide right, title, and interest in all inventions and improvements ("SUBJECT MATTER") that are disclosed in the application for United States Letters Patent entitled: **E-Mail Firewall With Stored Key Encryption/Decryption ("APPLICATION")**, which:

☒ is to be filed herewith and

☒ was filed on July 23, 1998, now bearing PCT International Application No. PCT/US98/15552 and for which a Declaration was executed by INVENTOR on the date(s) below; and

2. The entire worldwide right, title, and interest in and to:

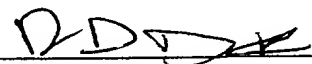
(a) the APPLICATION, including any right of priority; (b) any divisional, continuation, substitute, renewal, reissue, and other related applications thereto which have been or may be filed in the United States or elsewhere in the world; and (c) any patents which may be granted on the applications set forth in (a) and (b) above.

INVENTOR agrees that ASSIGNEE may apply for and receive patents for SUBJECT MATTER in ASSIGNEE's own name.

INVENTOR agrees to do the following, when requested, and without further consideration, in order to carry out the intent of this Assignment: (1) execute all oaths, assignments, powers of attorney, applications, and other papers necessary or desirable to fully secure to ASSIGNEE the rights, titles and interests herein conveyed; (2) communicate to ASSIGNEE all known facts relating to the SUBJECT MATTER; and (3) generally do all lawful acts that ASSIGNEE shall consider desirable for securing, maintaining, and enforcing worldwide patent protection relating to the SUBJECT MATTER and for vesting in ASSIGNEE the rights, titles, and interests herein conveyed. INVENTOR further agrees to provide any successor, assign, or legal representative of ASSIGNEE with the benefits and assistance provided to ASSIGNEE hereunder.

INVENTOR represents that INVENTOR has the rights, titles, and interests to convey as set forth herein, and covenants with ASSIGNEE that the INVENTOR has made or will make hereafter no assignment, grant, mortgage, license, or other agreement affecting the rights, titles, and interests herein conveyed.

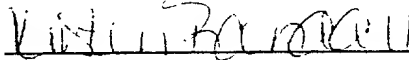
This Assignment may be executed in one or more counterparts, each of which shall be deemed an original and all of which may be taken together as one and the same Assignment.

| <u>Name and Signature</u> | <u>Date of Signature</u> | <u>Date Declaration Executed By This Person</u> |
|---|--------------------------|---|
| <u></u> Robert D. Dickinson III | <u>10/21/1998</u> | <u>10/21/1998</u> |

State of Washington
County of King

On 10/21/98 before me, Vincent Rainelli personally
[DATE] [NOTARY PUBLIC]

appeared Robert D. Dickinson III personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



Notary Seal

Notary

Title of Document: ASSIGNMENT

Re: Case 3561 US

Title: E-Mail Firewall With Stored Key Encryption/Decryption

Filed: Even Date Herewith

Serial No.: Not Yet Assigned

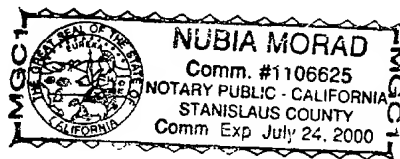
| <u>Name and Signature</u> | <u>Date of Signature</u> | <u>Date Declaration Executed By This Person</u> |
|---|--------------------------|---|
| <u>Sathvik Krishnamurthy</u> Sathvik Krishnamurthy | <u>10/16, 1998</u> | <u>10/16, 1998</u> |

State of California
County of Santa Clara

On October 16, 1998 before me, Nubia Morad personally
[DATE] [NOTARY PUBLIC]

appeared Sathvik Krishnamurthy personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Notary Seal



Nubia Morad
Notary